United Nations A/55/168

General Assembly

Distr.: General
21 July 2000

Original: English

Fifty-fifth session
Item 125 of the provisional agenda*
Human resources management

Amendments to the Staff Rules

Report of the Secretary-General**

Summary

As requested by staff regulation 12.3, the present report contains the full text of amendments to the Staff Rules, which the Secretary-General proposes to implement as from 1 January 2001. The report also provides the rationale for these amendments, which are of a technical nature.

* A/55/150.

** Submission of the present report was delayed to allow for completion of the staff consultation process on the proposed amendments.

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1. Staff regulation 12.3 provides that the full text of provisional staff rules and amendments should be reported annually to the General Assembly.

2. Unless otherwise indicated, the proposed amendments contained in the annex to the present report will be effective from 1 January 2001.

A. 100 series

3. Rule 107.1, Official travel of staff members, is amended to: (a) clarify the provision of the Rules containing the conditions under which the United Nations pays travel expenses on separation from service of a staff member; (b) specify that travel of staff members may be authorized for safety as well as security reasons; and (c) clarify the eligibility requirements for family visit travel. Detailed rules on family visit travel will be spelled out in an administrative instruction.

4. Rule 107.2, Official travel of family members — established offices, is amended to specify that travel of eligible family members may be authorized for safety as well as security reasons.

5. Rule 109.8, Commutation of accrued annual leave, is amended to replace the phrase "pensionable remuneration" by "gross salary", in accordance with General Assembly decision 54/460 of 23 December 1999, in which the Assembly had approved a similar change in annexes III and IV to the Staff Regulations.

6. Rule 109.10, Last day for pay purposes, is amended to replace the phrase "pensionable remuneration" by "gross salary", in accordance with General Assembly decision 54/460 of 23 December 1999, which had approved a similar change in annexes III and IV to the Staff Regulations.

B. 200 series

7. Rule 206.3, Sick leave, is amended to extend to project personnel the family leave option under the sick leave entitlement approved by the General Assembly in its resolution 52/219 of 22 December 1997 for staff serving under the 100 series of the Staff Rules.

8. Rule 207.1, Official travel of project personnel, is amended to specify that travel of project personnel may be authorized for safety as well as security reasons.

9. Rule 207.2, Official travel of family members, is amended to specify that travel of eligible family members of project personnel may be authorized for safety as well as security reasons.

10. Rule 207.12, Family visit travel, is amended to clarify eligibility for family visit travel and harmonize the rule with the corresponding rule in the 100 series.

11. Rule 211.1, Appeals, is amended to ensure consistency of the rule with the text of staff regulation 11.1, as amended by the General Assembly in its resolution 49/222 A of 23 December 1994, by deleting from the rule defining the competence of the Joint Appeals Board the reference to appeals against disciplinary decisions, as disciplinary matters are within the purview of the Joint Disciplinary Committee.

Recommendation

12. The Secretary-General recommends that the General Assembly take note of the amendments to the Staff Rules set out in the annex to the present report.

Annex

Text of amendments to the Staff Rules*

A. 100 series

Rule 107.1
Official travel of staff members

(a) Subject to the conditions laid down in these Rules, the United Nations shall pay the travel expenses of a staff member under the following circumstances:

...

(v) On family visit, in accordance with the provisions of paragraph (b) below;

(vi) On separation from service, **as defined by** article IX of the Staff Regulations and **chapter IX of the** Staff Rules, and in accordance with the provisions of **paragraph (c)** below;

(vii) On travel authorized for medical, **safety** or security reasons or in other appropriate cases when, in the opinion of the Secretary-General, there are compelling reasons for paying such expenses.

(b) Under subparagraph (a) (v) above, **and subject to conditions established by the Secretary-General, the United Nations shall pay the travel expenses of a staff member for the purpose of visiting his or her eligible family members at the place of recruitment, the place of home leave or the previous duty station when, during the preceding twelve months, no eligible family member has been present at the duty station after travel at United Nations expense, except on education grant travel. Family visit travel may be paid in respect of:**

(i) Staff members who are considered as having been internationally recruited under rule 104.7, provided they serve and reside outside their home country, and

(ii) Staff members who are considered as having been locally recruited under rule 104.6, when they are on mission assignment away from their parent duty station.

Family visit travel may be granted once every year in which the staff member's home leave does not fall due, except for eligible staff members serving at designated duty stations in respect of which special conditions shall apply.

(c) Under subparagraph (a) (vi) above, the United Nations shall pay the travel expenses of a staff member to the place of recruitment or, if the staff member had a probationary appointment or an appointment for a period of two years or longer or had completed not less than two years of continuous service, to the place recognized as his or her home for the purposes of home leave under rule 105.3. Should a staff member, on separation, wish to go to any other place, the travel expenses borne by the United Nations shall not exceed the maximum amount that would have been payable on the basis of return transportation to the place of recruitment or home leave.

Rule 107.2
Official travel of family members — established offices

(a) Subject to the conditions laid down in these Rules, the United Nations shall pay, in the case of service at an established office, the travel expenses of a staff member's eligible family members under the following circumstances:

...

(vii) On travel authorized for medical, **safety** or security reasons or in other appropriate cases, when, in the opinion of the Secretary-General, there are compelling reasons for paying such expenses;

Rule 109.8
Commutation of accrued annual leave

If, upon separation from service, a staff member has accrued annual leave, the staff member shall be paid a sum of money in commutation of the period of such accrued leave up to a maximum of sixty working days. The payment shall be calculated:

...

(iii) For staff in the General Service and related categories, on the basis of the staff member's **gross salary**, including:

a. Language allowance, if any; and

* The amended text appears in boldface type.

b. In respect of staff in receipt of non-resident's allowance under rule 103.5 (d), such non-resident's allowance,

less staff assessment according to the schedule of rates set forth in staff regulation 3.3 (b) (ii) applied to the gross salary alone.

Rule 109.10
Last day for pay purposes

(a) When a staff member is separated from service, the date on which entitlement to salary allowances and benefits shall cease shall be determined according to the following provisions:

...

(vi) ... For staff in the General Service and related categories, the payment shall be calculated on the basis of the staff member's **gross salary**, including:

a. Language allowance, if any; and

b. In respect of staff in receipt of non-resident's allowance under rule 103.5 (d), such non-resident's allowance,

less staff assessment according to the schedule of rates set forth in staff regulation 3.3 (b) (ii) applied to the gross salary alone. All other entitlements and accrual of benefits shall cease as of the date of death.

B. 200 series

Rule 206.3
Sick leave

...

(d) Up to seven days of sick leave in any twelve months of consecutive service may be used as family leave, in order to attend to family-related emergencies, or for paternity leave in the case of birth or adoption of a child, in which case the requirements otherwise applicable for sick leave in excess of three consecutive days shall not apply.

Current paragraphs (d) to (f) would be renumbered (e) to (g).

Rule 207.1
Official travel of project personnel

Subject to the conditions prescribed in these Rules and such others as may be prescribed by the Secretary-General from time to time, the travel expenses of project personnel shall be paid in the following circumstances:

...

(vi) On travel authorized for medical, **safety** or security reasons or in other appropriate cases when, in the opinion of the Secretary-General, there are compelling reasons for paying such expenses.

Rule 207.2
Official travel of family members

(a) Subject to the conditions prescribed in these Rules, and such others as may be prescribed by the Secretary-General from time to time, the travel expenses of eligible family members of project personnel shall be paid in the following circumstances:

...

(v) On travel authorized for medical, **safety** or security reasons or in other appropriate cases when, in the opinion of the Secretary-General, there are compelling reasons for paying such expenses;

Rule 207.12
Family visit travel

(a) Subject to conditions established by the Secretary-General, the United Nations shall pay travel expenses of project personnel in intermediate- or long-term status who serve and reside outside their home country for the purpose of visiting their eligible family members at the place of recruitment, the place of home leave or the previous duty station when, during the preceding twelve months, no eligible family member has been present at the duty station after travel at United Nations expense, except on education grant travel.

(b) Family visit travel may be granted once every year in which home leave does not fall due, except for eligible project personnel serving at designated duty stations in respect of which special conditions shall apply.

Rule 211.1
Appeals

(a) The appropriate Joint Appeals Board to be determined in accordance with rule 111.2 (d) shall consider and advise the Secretary-General regarding appeals filed under the terms of staff regulation 11.1 by project personnel against an administrative decision alleging non-observance of their terms of appointment, including all pertinent regulations and rules.

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